STATE OF MARYLAND



DHMH

Maryland Department of Health and Mental Hygiene

Larry Hogan, Governor - Boyd K. Rutherford, Lt. Governor - Dennis R. Schrader, Secretary

Maryland Board of Morticians and Funeral Directors

March 17, 2017

RE: *PROPOSED* MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS (FUNERAL ESTABLISHMENT INSPECTION FORM)

To all concerned citizens of Maryland and Licensees of the Maryland State Board of Morticians and Funeral Directors:

As a valued citizen of the state of Maryland, I know you share our commitment to excellence. Therefore, from time to time, it becomes necessary to amend policies, update forms and recommend new state laws and regulations. This is always done with the intention of increasing efficiency, improving safety, or enhancing customer satisfaction.

As of March 20, 2017, we are posting the *Proposed* Maryland State Board of Morticians and Funeral Directors (Funeral Establishment Inspection Form). The intentions of the "Board" are to solicit comments prior to implementation of the new and finalized form. The responses, comments and feedback are valuable components designed to fully illustrate our commitment to all members serving in the funeral profession in Maryland.

The purpose of this letter is to advise of the following means regarding suggesting of comments:

- 1. Period for Comment will begin on March 20, 2017 and end on May 20, 2017.
 - a. The Board requests all comments to be in writing and sent by one of the following means: email: stateboardinfo@gmail.com;
 - b. U.S. Mailing Address: 4201 Patterson Ave, Baltimore, MD 21215, Attn: Maryland State Board of Morticians and Funeral Directors;
 - c. Open Board Sessions: April 12, 2017 at 1:00 pm and May 10, 2017 at 1:00 pm;
 - d. You may also respond to the mass email distribution list sent by the board from the email address, stateboardinfo@gmail.com.
- 2. Please download the proposed form to allow Funeral Home Owners, Supervising Morticians and Licensees to become more familiar with the *Proposed* Inspection Form.

Before the *Proposed* Inspection Form is fully implemented and used, the board will use the existing inspection form until the implementation date of *October 1, 2017*.

Should you have any questions or concerns regarding this matter, please feel free to contact us using email address, <u>stateboardinfo@gmail.com</u>.

In the meantime, I thank you again, for all you do. On behalf of the Maryland State Board of Morticians and Funeral Directors, our best wishes for your continued success.

Sincerely,

Victor C. March, President,

Licensed Member

Mark E. Bailey

Chair, Establishment Committee,

Licensed Member

Maryland Board of Morticians and Funeral Directors Establishment Inspection Report 4201 Patterson Avenue, Baltimore, MD 21215 www.dhmh.maryland.gov/bom 410-764-4792

			410-764-4792	Date Time		Arrived	Time Departed	
Name of Funeral Establishment Inspected			☐ Full Funeral Establishment License Number:				Expiration:	
			Restricted Funeral Establishment Location: Expiration:				r:	
Street Address			City	State Maryland	ZIP	Telephone		
Supervising	Mortician	License Number	Licensee Accompanying Inspector	License Nur	nber:	Fax		
Type of Insp	ection (COMAR 10.2)		ment Closing Establishment rance of an Investigation Sale or Change	ge of Ownership				
Codes for Inspection G = Granted access to perfor P = Pass, means no deficience R = Refused or denied access			ific failure to comply with the requirements set form a Maryland State Board of Morticians and Fures were noted in that section being inspected, to perform a Maryland State Board of Mortician Evaluated, means an item was not evaluated or re	neral Directors as and Funeral	Inspection. Directors In	spection.		
ABBREVIATIONS FOR COMAR = Code of Maryland B		COMAR = Code of Maryland R	egulations; H. O. = Health Occupations; H. G. = Health	General		Division Season Lander	75550 - 10 27 College State (1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975 - 1975	
CODES								
G R	LAW/REGULATION	PENALTIES (COMAR 10.29.03.08 A)						
	COMAR 10.29.03.08 A	Failure to allow an inspection of the establishment or funeral service business shall result in an immediate suspension of an establishment license or in the case of a funeral service business, the licensee's license, subject to a subsequent opportunity for a hearing under Health Occupations Article, §7-319, Annotated Code of Maryland.						
CODES		LICENSURE, O	WNERSHIP AND SUPERVISING MORTICIAL	N REQUIREM	ENTS (CON	1AR 10.29.03	.03)	
P D NA	LAW/REGULATION	License Required for Funeral Establishment						
	Building Code Zoning Law	FOR A NEW FUNERAL ESTABLISHMENT, NEW RESTRICTED FUNERAL ESTABLISHMENT, OR A CHANGE OF A FUNERAL ESTABLISHMET LOCATION. Note: A Certificate of Occupancy (CO) is required to be submitted to the Maryland State Board of Morticians and Funeral Directors prior to license issuance.						
	COMAR 10.29.03.03 G	Each license (e.g., Surviving Spouse, Mortician, Funeral director, Apprentice) shall be posted in a conspicuous public location, for consumers, in each establishment or location where the license is valid to practice. A color photocopy of the original issued license may be substituted if the licensee owns multiple locations. A license, and the licenses of individual licensees employed at the establishment, shall be displayed prominently at the premises.						
000	COMAR 10.29.03.03 G	Corporate license, if applicable, and Establishment license shall be posted in a place conspicuous to the public.						
	COMAR 10.29.03.03 H 1	Shall employ and designate, on a form provided by the Board, a supervising mortician or supervising funeral director, licensed in accordance with State laws, who shall be continuously responsible.						
	COMAR 10.29.03.03 H 2	Shall prominently display on a sign, not smaller than 5 inches by 11 inches, located either immediately outside or immediately inside the main entrance, in letters not less than 1-inch high, the following information:						
	COMAR 10 29.03.03 H 2 a	The names of each licensee who holds at least a 10 percent ownership interest in the partnership, professional association, or sole proprietorship which operates the funeral establishment.						

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	COMAR 10.29.03.03 H 2 b	The names of any individual, corporations, or other business entities, which either directly or indirectly hold an ownership interest of 10 percent or more in the corporation or business entity that operates the funeral establishment.					
	COMAR 10,29.03.03 H 2 c	The names of all restricted establishments operating from that funeral home					
National Control	10,25,05,05,112.0	INSPECTION BY THE BOARD (COMAR 10.29.03.04-10.29.03.08)					
P D NA	LAW / REGULATION	The following FORMS shall be available for inspection, with a copy given to the inspector for the inspector's records:					
	COMAR 10.29.03.04 D 1	A general price list of charges for services to the public.					
	COMAR 10.29.03.04 D 2	A completed and duly signed funeral service contract with any invoices attached.					
	COMAR 10.29.03.04 D 3	A price list of caskets as charged to the public.					
	COMAR 10.29.03.04 D 4	A price list of outer containers as charged to the public.					
	COMAR 10.29.03.04 D 5	Cremation forms:					
	COMAR 10.29.03.04 D 5 a	Authorization form to cremate.					
	COMAR 10.29.03.04 D 5 b	Cremation identification form.					
	COMAR 10.29.03.04 D 5 c	Disposition of cremated remains notification.					
	COMAR 10.29.03.04 D 6	A preneed contract form.					
	COMAR 10.29.03.04 D 7	A copy of the hazardous waste certification form described in \$E(6)(d) of this regulation.					
	COMAR 10.29.03.04 D 8	An authorization to release the body to the establishment.					
P D NA	LAW / REGULATION	PREPARATION ROOM. If arterial or cavity injection will take place at the funeral establishment, the funeral establishment shall maintain on the premises a preparation room which shall be adequately equipped and maintained in a sanitary manner for the preservation and care of dead human bodies. The minimal requirements are as follows:					
	COMAR 10.29.03.04 E 1	Every funeral service establishment, at which embalming of human remains is performed, shall have at least one room used exclusively for embalming or preparation of the decedent.					
	COMAR 10.29.03.04 E 1 a	The floors, walls and ceilings shall be smooth and made of tile or other high gloss, impervious, washable material.					
	COMAR 10.29.03.04 E 1 b	The floors, walls, and ceilings shall be in a clean and sanitary condition.					
	COMAR 10.29.03.4 E 1 c	The lighting shall be adequate.					
	COMAR 10.29.03.04 E 1 d	The ventilation shall be in accordance with Occupational Safety and Health Administration (OSHA) regulations.					
	COMAR 10.29.03.04 E 1 e	Doors to the preparation room shall be tight closing and the windows maintained to obstruct any view into the preparation room.					

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	COMAR 10.29.03.04 E 1 f	The preparation room shall be a minimum of 120 square feet.
	COMAR 10.29.03.04 E 1 g	If a refrigeration unit is on the premises, the refrigeration unit shall be clean, sanitary and in good working condition.
P D NA	LAW / REGULATION	HOLDING ROOM. If arterial or cavity injection will not take place at the funeral establishment, the funeral establishment shall maintain on the premises a holding room which shall be adequately equipped for the holding of dead human bodies which shall be kept in a clean and sanitary manner and used exclusively for the holding and storage of dead human bodies. The minimal requirements for the holding room shall be as follows:
	COMAR 10.29.03.04 E 2 a	The floors, walls and ceilings shall be smooth and made of tile or other high gloss, impervious, washable material.
	COMAR 10.29.03.04 E 2 b	The floors, walls, and ceilings shall be in a clean and sanitary condition.
	COMAR 10.29.03.4 E 2 c	The lighting shall be adequate.
	COMAR 10.29.03.04 E 2 d	The ventilation shall be in accordance with Occupational Safety and Health Administration (OSIIA) regulations.
	COMAR 10.29.03.04 E 2 e	Doors to the preparation room shall be tight closing and the windows maintained to obstruct any view into the holding room.
	COMAR 10.29.03.04 E 2 f	The holding room shall be a minimum of 120 square feet.
P D NA	LAW / REGULATION	INSTRUMENTS AND EQUIPMENT
	COMAR 10.29.03.04 E 3 a	Instruments shall be autoclaved, steamed, or cleaned with a chemical disinfectant commonly used in the industry.
	COMAR 10.29.03.04 E 3 b	The preparation table shall have a nonporous surface.
	COMAR 10.29.03.04 E 3 c	The removal stretcher and litter shall have a waterproof pouch.
	COMAR 10,29,03,04 E 3 d	If a refrigeration unit is on the premises, it shall be clean, sanitary, and in good working condition.
P D NA	LAW/REGULATION	WATER SUPPLY
	COMAR 10.29.03.04 E 4 a	Each establishment shall have hot and cold running water.
	COMAR 10.29.03.04 E 4 b	The drain pipe for the water supply shall be at least 2 inches in diameter.
	COMAR 10.29.03.04 E 4 c	Each establishment with a holding room or preparation room shall have floor drainage.
P D NA	LAW/REGULATION	CHEMICAL STORAGE
	COMAR 10.29.03.04 E 5	All chemicals shall be plainly marked with appropriate warning labels.
P D NA	LAW/REGULATION	WASTE (DISPOSAL OF HAZARDOUS MATERIALS)
	COMAR 10.29.03.04 E 6 a	The preparation room shall be equipped with covered waste receptacles.
	COMAR 10.29.03.04 E 6 b	Infectious waste shall be clearly identified and separate from other waste and put in a rigid container.

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	COMAR 10.29.03.04 E 6 c	Blood and waste shall be disposed of in accordance with COMAR 10.06.06.01—.08.
	COMAR 10.29.03.04 E 6 d	A copy of the hazardous waste certification form provided by the licensee's hazardous waste contractor shall be provided to the Board's inspector.
	COMAR 10.29.03.04 H 7 a	Ensure that medical waste is picked up by a licensed medical waste disposer not less often than every 60 days from the date generated.
	COMAR 10.29.03.04 H 7 b	Develop a written plan to submit for approval by the Board that outlines specific procedures for disposal of medical waste not later than 60 days from the date generated, in accordance with methods outlined in COMAR 10.06.06.
P D NA	LAW/REGULATION	REMOVAL VEHICLE
	COMAR 10.29.03.04 E 6 E e	The removal vehicle shall contain a universal precaution kit which shall contain at least:
	COMAR 10.29.03.04 E 6 E i	Disposable gloves.
	COMAR 10.29.03.04 E 6 E ii	Antibacterial hand wipes.
	COMAR 10.29.03.04 E 6 E iii	A hazardous waste container for the proper disposal of wastes.
	COMAR 10.29.03.04 E 7	The removal vehicle shall be suitable for the transportation of dead human remains with remains obscured from public view and maintained in a sanitary manner.
P D NA	LAW/REGULATION	HANDLING AND STORAGE OF HUMAN REMAINS
	H. G. 5-513	Upon taking custody of the human remains of a decedent in accordance with all authorizations required by law, a funeral establishment or crematory shall maintain the human remains in a manner that provides for complete coverage of the human remains to prevent leakage or spillage except during the following conditions:
	H. G. 5-513	Identification, embalming or preparation of an unembalmed decedent for final disposition.
	H. G. 5-513	Restoration and dressing of a decedent in preparation for final disposition and
	H. G. 5-513	Viewing during a visitation or funeral service.
	H. G. 5-513	If the unebalmed remains of a decedent is to be sheltered for more than <u>48 hours</u> prior to final disposition, a funeral establishment or crematory shall maintain the decedent by refrigeration and at a temperature lower than <u>44 degrees Fahrenheit</u> . (Actual Temperature While in Use
P D NA	LAW/REGULATION	FUNERAL SERVICE ESTABLISHMENT PREMISES
	COMAR 10.29.03.04 E 8 a	The remaining areas of the establishment shall be in good repair, clean and safe.
	COMAR 10.29.03.04 E 8 b	If the funeral establishment has a memorial gathering area, it shall be in good repair and clean. If that area is built or renovated, or the establishment is acquired that memorial room shall be at least 300 square feet in area.
	COMAR 10.29.03.04 E 8 c	If a funeral establishment has a casket display room, prices shall be displayed on the casket or caskets.
	COMAR 10.29.03.04 E 8 d	The inspector shall assess the general cleanliness of the establishment and whether there are properly functioning, sanitary restrooms.
	COMAR 10.29.03.04 E 8 e	The business telephone shall be in working order at the establishment.
	COMAR 10.29.03.04 E 8 f	A sign or lettering on the windows or building indicating the name of the establishment shall be conspicuously displayed and the name on the sign shall be the same name on the establishment license.
	COMAR 10.29.03.04 E 8 g	If one or more businesses, in addition to a funeral establishment, are under one roof, a separate sign shall indicate the entrance and exit of the funeral establishment.

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P D NA	LAW/REGULATION	PRENEED CONTRACT AUDIT (Health Occupations Article, §§ 7-205, 7-404, 7-405, and 7-504, Annotated Code of Maryland)						
	H.O. 7-205 b 1-3	The Board may conduct an audit of a licensee that: (1) Receives pre-need funds; (2) Places pre-need funds in a trust; or (3) Enters into a pre-need contract. A photocopy of an original signed and agreed preneed by the funeral establishment or licensee will be retained for PASSING and DEFICIENT audits.						
	H.O.: 7-205 b 1-3, 7- 404, 7-405, 7-504	ONLY COMPLETE THIS SECTION IF A DEFICIENCY EXISTS, IF NO DEFICIENCY EXISTS THEN ENTER NA. If a deficiency exists on a preneed contract or any document required by law, a photocopy will be retained and attached to this report. The specific deficiency listed in this section will be cited as:						
		H.O. 7-205 sub. H.O. 7-404 sub. H.O. 7-405 sub. H.O. 7-504 sub.						
		ESTABLISHMENT INSPECTION REPORT AND DEFICIENCIES (COMAR 10.29.03.05)						
A. The Board	d shall review the inspec	ection report and make a determination as to whether a deficiency exists.						
B. The Board	d shall notify the establi	ishment in writing of the results of the inspection.						
C. If a licens	ee passes an inspection,	n, the licensee shall prominently display on the premises a statement issued by the Board that the establishment has successfully passed an inspection.						
D. If the Boa	D. If the Board finds a deficiency, the Board shall send to the owner within 2 weeks of the inspection notification of the deficiency or failure to pass the inspection.							
E. Correction	n of Deficiency.							
(1) Except as	(1) Except as provided in this section, an owner shall correct a deficiency within 30 days after receipt of notification.							
(2) The Board may require immediate correction of a deficiency if the Board considers the correction necessary in the interest of public health.								
(3) The owner may request an extension of time for correction of a deficiency.								
(4) The Board may approve an extension of time for correction of a deficiency.								
(5) Upon completion of correction of all deficiencies, the owner shall notify the Board.								
(6) Upon notification, the Board or its designee shall re-inspect the establishment and the Board shall notify the owner in writing of the results of the re-inspection within 1 week.								
(7) If re-inspection reveals additional deficiencies not cited in the first report, the owner shall correct those deficiencies in the time-period specified by the inspection agency unless an extension of time is requested by the owner and approved by the Board for correction of the additional deficiencies.								

CASE STORY	LICENSEE OWLEDGEMENT OF PECTION RESULTS	PASSED / NO DEFICIENCIES IDENTIFIED - SIGNATURE OF LICENSEE AND BOARD INSPECTOR This facility has been inspected by an inspector of the Department of Health and Mental Hygiene. This funeral establishment has successfully passed with no deficiencies noted during this inspection.					
☐ AGRE							
	GREE SE TO SIGN	SIGNATURE OF LICENSEE: LICENSEE NUMBER: DATE: SIGNATURE OF BOARD INSPECTOR: DATE:					
	COMMENTS	SIGNATURE OF BOARD INSPECTOR: DATE:					
BOARD IN	SPECTOR COMMENTS						
A	LAW / REGULATION	PENALTIES (COMAR 10.29.03.08 B, C)					
	COMAR -10.29.03.08 B	Failure to comply with a notice to correct deficiencies or violations within the 30-day period, or any reasonable extension granted by the Board in Regulation05E or .07C of this chapter, shall result in an immediate suspension of an establishment license or in the case of a funeral service business, the licensee's license, or the denial of a renewal of an establishment license, subject to a subsequent opportunity for a hearing as set forth under Health Occupations Article, §7-319, Annotated Code of Maryland.					
Ta	COMAR 10.29.03.08 C	Disciplinary action may not be taken against a supervising mortician or funeral director for the acts or omissions of another unless the supervising mortician or funeral director knew or should have known of a violation of the Maryland Morticians Act.					

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LICENSEE ACKNOWLEDGEMENT OF INSPECTION RESULTS	acknowledge r	eccipts of the	DEFICIENCIES IDENTIFIE ed by an inspector of the Depar above noted deficiencies. I agre 5). You may refer to the Establ	tment of	Health and Mer	ital Hygiene. The defi ies within 30 days, or t	ciencies of th ake the appro	e inspection have been noted. I opriate actions as described in
AGREE	SIGNATURE OF	LICENSEE:			LICEN	SEE NUMBER:		DATE:
☐ DISAGREE	SIGNATURE OF	BOARD INSI	PECTOR:	***************************************		ATE:		
☐ REFUSE TO SIGN								
		RE-I	NSPECTION FOLLOW-UP (C	OMAR	0.29.03.05 E 1-	7)		
Name of Funeral Establishment Re-Inspected			☐ Full Funeral Establishment ☐ Restricted Funeral Establishment		License Number: Expiration		or can accommon and	
Supervising Mortician License Number			Licensee Accompanying Insp	ng Inspector License Number:		ber:	DATE: TIME:	
Type of Inspection (COMAR 10.29.03.	05) 🗌 RE-INS	PECTION	BOARD INSPECTOR CONDUCTING RE-INSPECTION FOLLOW-UP:					
P D LAW/REGULATION RE-INSPECTED						TENT:		
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LICENSEE COMMENTS	1							
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letterhead and attach it to this	SEE ADDITIONAL COMMENTS Licensee Signature							
Inspection Report- NOTE; blocks must be checked and signed.)	COMMENTS ATTCHED ON LETTERHEAD							
BOARD INSPECTOR COMMENTS					100000000000000000000000000000000000000			
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letterhead and attach it to this	SEE ADDITIONAL COMMENTS Board inspector Signature							
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BOARD MEMBER ACKNOWLEDGEMENT OF INSPECTIONS RESULTS				BOARD N	IEMBER SIGN	ATURE FOR INSPEC	TION	
□ PASSED INSPECTION								
☐ BOARD PASSING LETTER		SIGNATURE OF BOARD MEMBER: LICENSEE NUMBER: DATE:						
□ APPROVE THAT DEFICIENCY C								
□ DISAGREE THAT DEFICIENCY	OCCURRED							

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